

### **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the present application are respectfully requested in view of the amendments and remarks presented herewith. The present amendment is being made to facilitate prosecution of the application.

#### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 26-39, 42, 43, 45-48, and 50-56 are currently pending in this application. Independent claim 26 is hereby amended in this response. Support for the amended recitations can be found throughout the application as originally filed, e.g. page 8, line 25-page 7, line 7, and page 9, line 30-page 10, line 8 of the specification as published. Accordingly, no new matter has been introduced by this amendment.

The amendments as presented herein are not made for the purposes of patentability within the meaning of §§§§101, 102, 103, and 112. Rather, these amendments are made for purposes of clarity, to place the application into condition for allowance, and to round out the scope of protection to which Applicants are entitled.

#### **II. RECORDATION OF PHONE INTERVIEW**

The Examiner is initially thanked for granting Applicant's representatives a phone interview on April 14, 2010. Participants in the interview included Examiner Preeti Kumar and Applicant's representative Vivek P. Shankam. Claim 26 of the present application and cited references U.S. Patent No. 5,360,656 to Rexfelt et al. and U.S. Patent 6,491,794 to Davenport were discussed. No agreement with respect to the claims was reached.

### III. REJECTIONS UNDER 35 U.S.C. §§ 102(b) & 103(a)

Claims 26-35, 38-42, and 44-56 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by or, in the alternative, under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 5,360,656 to Rexfelt et al. (hereinafter merely "Rexfelt").

Amended claim 26 recites:

"An industrial textile structure comprising:

an array of a plurality of spiral wound machine direction (MD) yarns forming a system having a defined width; and

a pattern of cross machine direction (CD) elements deposited onto said system of MD yarns;

wherein said CD elements are formed while being deposited onto said system of MD yarns, and wherein said CD elements at least partially encapsulate said MD yarns." (Emphasis added)

Accordingly, the present industrial textile structure includes an array of a plurality of spiral wound machine direction (MD) yarns, and not spirally-wound strips of a fabric, as taught in Rexfelt.

Applicant respectfully submits that the textile structure produced by Rexfelt's method differs from the instant textile structure, in that Rexfelt's structure is made of spirally-wound strips of a fabric having a width which is smaller than the width of the final base fabric, while the instant structure has an array of a plurality of spiral wound machine direction (MD) yarns.

Additionally, the instant structure includes a pattern of cross machine direction (CD) "elements" deposited onto the system of MD yarns, and not interwoven CD "yarns," as

taught in Rexfelt. As recited in instant claim 26, the CD elements are formed while being deposited onto the system of MD yarns, and they at least partially encapsulate the MD yarns.

It should be noted here that the instant CD elements are not CD yarns. For example, page 9, lines 7-12 of the Instant Application states:

“Essentially, the MD yarns are helically wound about two parallel rolls. Subsequently, fibrous batting or other nonwoven material is applied and adhered to the helical array of MD yarns to provide a “fillingless” papermaker's felt, which is to say that it has no cross-direction yarns.” (Emphasis added)

Accordingly, there are no filling or cross-direction “yarns” in the instant structure. Instead, the instant structure includes a pattern of cross machine direction (CD) “elements,” which are deposited onto the system of MD yarns, and are formed while being deposited onto the system of MD yarns. For example, page 7, lines 13-15 of the Instant Application states:

“CD elements 40 may be formed, for example, by depositing a polymer orthogonally on one or both surfaces of a system of MD yarns 42.” (Emphasis added)

Further, page 12, lines 19-23 of the Instant Application states:

“One means of creating a system of CD elements 40 is by utilizing a polymer deposition device such as a piezo jet or jets dispensing a curable polymer in a CD direction onto and between the MD yarns 42.” (Emphasis added)

Therefore, there are no filling or cross-direction “yarns” in the instant structure, and Applicant respectfully submits that Rexfelt does not teach or suggest the structure as claimed in claim 26. More specifically, Rexfelt does not teach or suggest a pattern of cross machine direction (CD) elements deposited onto said system of MD yarns, wherein said CD elements are formed while being deposited onto said system of MD yarns, and wherein said CD elements at least partially encapsulate said MD yarns, as recited in claim 26.

For at least the foregoing reasons, Applicant respectfully submits that instant claim 26 is patentable over Rexfelt.

Additionally, claims 27-35, 39-42, and 44-56 that directly or indirectly depend from claim 1 are patentable. Indeed, Rexfelt does not teach or suggest the particular combinations of claims 27-35, 39-42, and 44-56 with claim 26.

Claims 26-39, 42-43, 45-48, 50-56 were also rejected under 35 U.S.C. §102(b) as allegedly being anticipated by or, in the alternative, under 35 U.S.C. §103(a) as being obvious over now U.S. Patent 6,491,794 to Davenport (hereinafter merely "Davenport").

Claim 26 recites:

"An industrial textile structure comprising:

an array of a plurality of spiral wound machine direction (MD) yarns forming a system having a defined width; and

a pattern of cross machine direction (CD) elements deposited onto said system of MD yarns;

wherein said CD elements are formed while being deposited onto said system of MD yarns, and wherein said CD elements at least partially encapsulate said MD yarns." (Emphasis added)

Accordingly, the present industrial textile structure includes an array of a plurality of spiral wound machine direction (MD) yarns, and not an array of a single yarn, as taught in Davenport.

Davenport discloses in col. 3, line 65-67 that "In its broadest form, the base structure is an array formed by spirally winding a multicomponent yarn in a plurality of abutting, non-overlapping turns." Therefore, Davenport teaches a flattened array of a single spirally wound multicomponent yarn (See Figure 1 of Davenport, for example), and does not teach or

suggest an array of a plurality of spiral wound machine direction (MD) yarns, as recited in claim 26.

Additionally, in the instant structure, the CD elements are formed while being deposited onto the system of MD yarns, as recited in claim 26.

Applicant respectfully submits that Davenport does not teach or suggest the structure as claimed in claim 26. More specifically, the structure in Davenport differs from the instant textile structure, in that Davenport's structure does not have a CD component, such as the instant CD elements.

As discussed earlier, although there are no filling or cross-direction "yarns" in the instant structure, the instant structure includes a pattern of cross machine direction (CD) "elements," which are deposited onto the system of MD yarns, and are formed while being deposited onto the system of MD yarns.

Applicant respectfully submits that, similar to Rexfelt, Davenport does not teach or suggest the structure as claimed in claim 26. More specifically, Rexfelt does not teach or suggest a pattern of cross machine direction (CD) elements deposited onto said system of MD yarns, wherein said CD elements are formed while being deposited onto said system of MD yarns, as recited in claim 26.

In fact, there are no CD components to unravel to form the loops required for seaming in Davenport, and the base structure in Davenport has CD stability because the MD yarns are bonded side-by-side to one another.

For at least the foregoing reasons, Applicant respectfully submits that instant claim 26 is patentable over Davenport.

Additionally, claims 27-56 that directly or indirectly depend from claim 1 are patentable. Indeed, Davenport does not teach or suggest the particular combinations of claims 27-56 with claim 26.

**CONCLUSION**

By this Amendment, this application is believed to be in condition for allowance. Favorable reconsideration of the application, withdrawal of the rejections, and prompt issuance of the Notice of Allowance are, therefore, all earnestly solicited.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

A handwritten signature in black ink, appearing to read 'Ronald R. Santucci', is written over a horizontal line.

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